

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JOHNSON COUNTY,

*Plaintiff*

v.

PURDUE PHARMA L.P., et al.,

*Defendants.*

Civil Action No. 4:19-cv-01637

**[PROPOSED] ORDER REMANDING TO STATE COURT  
AND AWARDING COSTS AND FEES**

Upon consideration of the Plaintiff Johnson County's Motion to Remand and for Costs and Fees, any response thereto, the authorities cited therein, and the operative portions of the record, the Court, upon finding that it lacks subject matter jurisdiction over this matter on the face of the Notice of Removal and the CAFA provision upon which the one removing Defendant relies, hereby GRANTS the Plaintiff Johnson County's motion in its entirety.

THEREFORE, IT IS ORDERED THAT this case be remanded to the 152d Judicial District Court of Harris County, Texas for further proceedings in MDL No. 18-0358, *In Re: Texas Opioid Litigation*, that a certified copy of this order be mailed by the clerk of this Court to the clerk of the Texas court, and that Defendant CVS Health Corporation pay the Plaintiff Johnson County its just costs and expenses, including attorneys fees, incurred as a result of the removal.

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UNITED STATES DISTRICT COURT JUDGE

Submitted on May 7, 2019, by:

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**CERTIFICATE OF SERVICE**

I, Matthew R. McCarley, hereby certify that on the 7th day of May 2019, I caused a copy of *[Proposed] Order Remanding to State Court and Awarding Costs and Fees* to be served via the Court's ECF system and/or via U.S. Mail.

/s/ Matthew R. McCarley

Matthew R. McCarley